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RECEIVED  
JUL 25 1994  
HUB LAW OFFICES

10 Attorneys for Plaintiff and  
Cross-Defendant CHURCH OF SCIENTOLOGY  
11 INTERNATIONAL

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 FOR THE COUNTY OF MARIN  
14

15 CHURCH OF SCIENTOLOGY ) CASE NO. 157 680  
INTERNATIONAL, a California not- )  
16 for-profit religious corporation; ) CHURCH OF SCIENTOLOGY  
Plaintiffs, ) INTERNATIONAL'S EX PARTE  
17 ) APPLICATION TO HAVE HEARING  
vs. ) ON SUMMARY JUDGMENT MOTION  
18 ) SET BEFORE NEXT AVAILABLE  
GERALD ARMSTRONG; MICHAEL WALTON; ) DATE OR, IN THE  
19 et al., ) ALTERNATIVE, TO HAVE  
Defendants. ) HEARING ON SUMMARY JUDGMENT  
20 ) MOTION WITHIN 30 DAYS OF  
TRIAL DATE  
21 )  
GERALD ARMSTRONG, )  
22 Cross-Complainant, ) DATE: July 25, 1994  
vs. ) TIME: 9:30 a.m.  
23 ) DEPT: 1  
24 )  
CHURCH OF SCIENTOLOGY ) DISCOVERY CUT-OFF: Aug. 30,  
25 INTERNATIONAL, a California ) 1994  
Corporation; DAVID MISCAVIGE; ) MOTION CUT-OFF: Sept. 13,  
26 DOES 1 to 100; ) 1994  
Cross-Defendant. ) TRIAL DATE: Sept. 29, 1994  
27 )  
28

1 TO DEFENDANT AND GERALD ARMSTRONG AND HIS COUNSEL OF RECORD:  
2 PLEASE TAKE NOTICE that on July 25, 1994 at 9:30 a.m., or as  
3 soon thereafter as the matter may be heard, in Department 1 of  
4 the above-entitled court, located at 3501 Civic Center Dr. #151,  
5 San Rafael, California 94903-4177, plaintiff Church of  
6 Scientology International ("Church") will and hereby does move  
7 for an order permitting plaintiff to set a summary judgment  
8 motion for hearing prior to the next date available on the  
9 clerk's calendar, or, in the alternative, to have the motion  
10 heard within 30 days of the date set for trial of this matter.

11 This application is made on the basis that (1) trial is set  
12 in this case for September 29, 1994; (2) plaintiff has prepared a  
13 timely motion for summary judgment concerning the cross-complaint  
14 of defendant Gerald Armstrong; (3) the calendar clerk has  
15 informed plaintiff's counsel that the next available date for  
16 hearing on a summary judgment in this courtroom is September 9,  
17 1994; and (4) Code of Civil Procedure Section 437c(a) provides  
18 that a motion for summary judgment must be heard no later than 30  
19 days before the date of trial.

20 This application is based upon this application, the  
21 attached declaration of Laurie J. Bartilson, the pleadings and  
22 papers on file herein and such other and further matters as may  
23 properly be before the Court.

24 Dated: July 25, 1994

Respectfully submitted,

WILSON, RYAN &  
CAMPILONGO

27 By: \_\_\_\_\_  
28 Linda M. Fong

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Laurie J. Bartilson  
BOWLES & MOXON

Attorneys for Plaintiff  
CHURCH OF SCIENTOLOGY  
INTERNATIONAL

PROOF OF SERVICE

STATE OF CALIFORNIA            )  
  ) ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 235 Montgomery Street, Suite 450, San Francisco, CA 94104.

On \_\_\_\_\_ I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S EX PARTE APPLICATION TO HAVE HEARING ON SUMMARY JUDGMENT MOTION SET BEFORE NEXT AVAILABLE DATE OR, IN THE ALTERNATIVE, TO HAVE HEARING ON SUMMARY JUDGMENT MOTION WITHIN 30 DAYS OF TRIAL DATE, on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing  the original  true copies thereof in sealed envelopes addressed as follows:

FORD GREENE  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

MICHAEL WALTON  
P.O. Box 751  
San Anselmo, CA 94979

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on \_\_\_\_\_ at Los Angeles, California.

\*\*(BY PERSONAL SERVICE) I delivered such

envelopes by hand to the offices of the addressees.

[ ]\*\* Such envelopes were hand delivered by  
Messenger Service

Executed on \_\_\_\_\_, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of  
the State of California that the above is true and  
correct.

[ ] (Federal) I declare that I am employed in the  
office of a member of the bar of this court at  
whose direction the service was made.

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Signature

\* (By Mail, signature must be of person depositing  
envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of  
messenger)